

REMARKS

This Amendment, submitted in response to the Office Action dated September 17, 2004, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-27 are all the claims pending in the application. Claims 14 and 16 are amended merely to correct informalities. It is respectfully submitted that the claims would be deemed allowable without the amendments.

I. Claim Rejections under 35 U.S.C. § 102

Claims 1-2, 9-10 and 17-18 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Dedrick (U.S. Patent No. 5,768,521).

Dedrick discloses a general purpose metering mechanism for the distribution of electronic information from a server to a client computer. Content in a database such as newspapers and magazines can be provided from a publisher to a user for a predetermined cost. A client is charged according to a metering mechanism which meters the flow of information to a client computer. Col. 1, lines 62-65.

The Examiner asserts that Dedrick col. 1, line 62-col. 2, line 22 and col. 4, line 26-col. 5, line 25 teaches all the elements of claim 1. The respective column and lines cited by the Examiner describe a metering mechanism which meters the flow of information from a server to a client computer. That portion of Dedrick discloses that a client can be charged for the services monthly, yearly, a one time charge, pay per view, per byte, or per time.

Claim 1 recites "A method for determining the cost of a content object having a plurality of content entities..." The Examiner has not particularly identified where a *content object* is

disclosed in Dedrick. Assuming *arguendo*, the Examiner is referring to the publisher 18 which contains the database of information, for teaching a content object (i.e. that publisher 18 corresponds to the claimed “content object”), there is no indication that a count of the contents in the database is performed. Nor is there any indication that the cost of content within the database itself is calculated.

Assuming the Examiner is referring to the content which is actually selected by a user for teaching the claimed “determining a cost of a content object,” there is no indication or description of a content object selected by a user. In particular, there is no indication of a content object which comprises *a plurality of content entities*. Further, there is no indication that a count is performed for content in a content object. Dedrick describes calculating a cost per view, per byte or per time however, there is no indication that cost is calculated according to a *count* of content. In the case that a cost is calculated for information selected by a user, there is no indication that the information selected by a user has a *plurality* of content entities as opposed to merely selection of a single content entity.

For at least the above reasons, claims 1, 9 and 17 and their dependent claims should be deemed patentable.

II. Rejection of claims 3-6, 11-14, 19-22 and 25-27 under 35 U.S.C. § 103

Claims 3-6, 11-14, 19-22 and 25-27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Dedrick. Claims 3-6, 11-14, 19-22 and 25-27 should be deemed patentable by virtue of their dependency to claims 1, 9 and 17 for the reasons set forth above.

III. Rejection of claims 7-8, 15-16 and 23-24 under 35 U.S.C. § 103

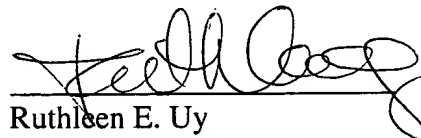
Claims 7-8, 15-16 and 23-24 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Dedrick in view of Khan et al. (U.S. Patent No. 6,199,054). Claims 7-8, 15-16 and 23-24 should be deemed patentable by virtue of their dependency to claims 1, 9, and 17 for the reasons set forth above. Moreover, it is respectfully submitted that Khan does not cure the deficiencies of Dedrick.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Ruthleen E. Uy
Registration No. 51,361

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 14, 2004